

Remarks

Previously pending claims 1 - 8 are cancelled and replaced with claims 9 - 20. It is noted that claim 9 corresponds exactly to the combination of former claims 1 and 3; new claim 12 corresponds, without change, to former claims 2 and 6; and claims 10, 11, 13 and 14 correspond, without change, to former claims 4, 5, 7 and 8, respectively. Accordingly, should any one of the claims 9 - 14 be rejected on a new grounds of rejection, a final rejection would be premature.

Specification

The informality, "stoke", will be corrected upon an indication of allowance of the application.

The "factor of ten" informality was addressed in the response mailed May 16, 2001. The Examiner has not responded to applicants' comments on the matter. However, for advancing the prosecution, applicants' propose, if the Examiner persists in his objection to the "factor of ten" phrase, that the sentence containing the objectionable phrase (page 4, lines 4, 5), i.e., "This reduction . . . of ten." be deleted from the specification. With such deletion, the specification is no less enabling.

35 U.S.C. §112

Concerning the use of the term "link", the specification, at the bottom of page 2, notes that many power generating systems are

known for converting energy in surface waves to electrical power. It is known, and shown in Syverson, for example, that after capturing the natural energy (e.g., by the propeller in Syverson or the float 10 illustratively shown in the present application), the captured energy must be transferred to an energy converting or utilizing mechanism. In Syverson, the propeller rotates a housing 20 for rotating field magnets of a generator. The housing thus conveys mechanical energy and is a link in the energy conveying system. In applicants' illustrative apparatus, such conveying system includes links comprising a hydraulic cylinder 12 and a hydraulic motor 14. The term "link" is thus a generic term reading on any number of known systems for conveying energy. Upon indication of allowable subject matter, the undersigned shall be pleased to further discuss the matter for, perhaps, selecting different terminology. (In new claims 15 and 18, for example, a "moving member" is specified; such moving member being, for example, either the cylinder 12 or the motor 14.)

35 U.S.C. §102

The rejection under §102 is not traversed with respect to previously pending claims 1 and 2 which are not herein reproduced. However, the rejection is respectfully traversed with respect to previously pending claims 3 - 8 herein identically reproduced as claims 9 - 14, respectively.

With respect, the §102 rejection of former claims 3 -8 is not properly supported because the Examiner does not identify, in Syverson, technology corresponding to the subject matter of these claims. On review of Syverson, it appears that the subject matter of

claims 3 - 8 (now claims 9 - 14) is not shown by Syverson and, indeed, is an unobvious variation from what is shown by Syverson.

New claim 9 (corresponding to cancelled claim 3), for example, specifies monitoring the rate of arrival of the input energy, and controlling the mechanical impedance of the generator in response to the monitored rate. That is, the amount of variation of the generator mechanical impedance is a variable dependent upon the rate of arrival of the energy input. } X

New claim 11 (corresponding to cancelled claim 5) specifies varying the load impedance by an amount dependent upon a sensed speed of an energy conveying link. See, also, new claims 12 and 14 for similar claimed subject matter. } X

The importance of the foregoing identified claimed subject matter is fully disclosed in applicants' specification and relates to continued operation of the system even under potentially dangerous conditions. See, for example, specification, page 1, lines 6 - 10 and last two lines; page 2, last three lines of the Summary; and the paragraph beginning at the bottom of page 3 through line 8 of page 4. } MK

Thus, as specified in the pending claims, a) the amount of braking (i.e., the reduction in the load impedance) is a variable, b) is dependent upon a sensed variable input energy and, c) operation of the system is continuous for a range of input energies during which dynamic braking occurs. } X

None of these elements is present in Syverson. In Syverson, a) the amount of braking is a fixed amount, i.e., the

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dynamic braking is provided by a resistor 80 of fixed value (col. 5, lines 32 - 34, referring to a large resistor 80; and Fig. 5, showing a fixed value resistor 80). Also, in Syverson, b) the braking is applied not in proportion to a sensed variable parameter, but simply in response to (col. 7, beginning at line 5) an overspeed of the generator in excess of a threshold speed (rather than in proportion to a range of speeds). Further, in Syverson, c) the dynamic braking provided by the resistor 80 is in cooperation (col. 5, beginning at line 38) with a mechanical brake 82 for shutting the system down (in contrast with continued operation according to the present claims). Note that connection of the resistor 80 into the circuit is under control of a relay 113 (having contacts 113A) and that (col. 7, beginning at line 30), when relay 113 is energized (for connecting resistor 80), a relay 111 is energized which locks on relay 113 for maintaining the fixed resistor 80 within the circuit until a reset is performed to drop out the relay 111. However, no automatic means are provided for resetting the relay 111, which must be done manually, and it is clear that the dynamic braking arrangement provided by Syverson is for use as a one time operated (until reset) emergency damper system. } NIC
X not defined

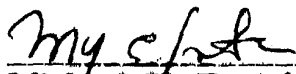
Accordingly, while Syverson does show changing the generator load resistance for braking, Syverson neither shows nor suggests the use of dynamic braking for continuing operation of the system even while braking is occurring. In Syverson, once a threshold value of speed (or vibration) is exceeded, the system shuts down until manually reset. Clearly, the claimed method provides

significant advantages over Syverson who most definitely does not anticipate the presently claimed invention.

New claims 15 - 20 more definitely distinguish from Syverson. Claims 17 and 20 specify continuous monitoring and impedance varying. Support for these claims is in the specification beginning at the bottom paragraph on page 6 through page 8. As above-noted, in Syverson, the braking is simply a safety feature designed to shut down the system rather than enable continuous operation at excessively high input energies.

Allowance of the application, subject to correction of various informalities, is respectfully requested.

Respectfully submitted,



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